

20.06.2022
Serial no. 53
Aloke

CRM (A) 2911 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Murarai Police Station Case No. 204 of 2021 dated 03.12.2021 under Sections 406/420/379/411/413/414 of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

-And-

In the matter of : **Naresh Tanwar**

... .. Petitioner

Mr. Arnab Saha, Advocate

Mr. Abhimanyu Bannerjee, Advocate

... .. For the Petitioner

Mr. Rudradipta Nandy, Advocate

Ms. Eshita Dutta, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is the owner of the vehicle. He executed a power of attorney in favour of a difference person. The petitioner was not present at the spot. The petitioner is sought to be falsely implicated.

Learned Advocate appearing for the State submits that the petitioner is a part of interstate racket operating at the automatic teller machines (ATM) of the banks. He submits that number of ATM cards were recovered from the co-accused. The modus operandi of the petitioner and other co-accused is to manipulate the ATM, in such way that, although, the petitioner and the co-accused received the cash from the ATM machine after operating the same, the amount does not get deducted from the account of the bank.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the nature of articles seized from the co-accused which was used in the commission of the crime and considering the fact that the

petitioner is the owner of the vehicle used in the incidents, we are unable to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, thus, rejected.

CRM (A) 2911 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)